IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRI.APPLN.NO. 503 OF 2006
IN
CRI.APPEAL NO.443 OF 2006

Yeshwant Pandurang Keer ..Applicant
Vs.
State of Maharashtra ..Respondent

....
Mr.Ganesh Gole Advocate for Applicant
Mr.D.S.Mhaispurkar A.P.P. for State
....

CORAM: D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : MAY 05,2006

P.C.(PER SMT.V.K.TAHILRAMANI,J.):

1. Heard Mr.Ganesh Gole, the learned advocate for the applicant and Mr.Mhaispurkar, the learned A.P.P. for the State.

2. The applicant is seeking temporary bail on the ground that the marriage of his elder brother's daughter is to take place on 10.5.2006 at Goregaon, Mumbai. The applicant is at present in Kolhapur Central Prison.

3. Mr.Gole has submitted that Pranita is the daughter of elder brother of the applicant. The elder brother of the applicant died when Pranita

was about 4 years old and since then the present applicant has brought up the young girl. Hence, it is prayed that the applicant may be released on temporary bail in order to enable him to attend the marriage.

4. Mr.Mhaispurkar states that indeed the marriage of Pranita is to take place on 10.5.2006 at Mumbai, however, he has submitted that the witnesses are all residing at Goregaon. After the incident in which the applicant assaulted the deceased, the family members of the deceased had assaulted the present applicant and the case came to be registered under Section 307 of IPC. Thus, it is apprehended that if the applicant now goes to Goregaon, there would be danger to the lives of the witnesses as well as to the life of the applicant. In such circumstances, the learned A.P.P. has submitted that the applicant may be allowed to attend the marriage under escort.

5. In view of the above circumstances, we pass the following order:

ORDER

1. The applicant to be taken from Kolhapur Central Prison under escort to Goregaon, Mumbai in order to attend the marriage.

2. The escorting party shall leave Kolhapur Central Prison along with applicant latest by evening of 8.5.2006 and the escorting party along with applicant shall leave Mumbai for Kolhapur Central Prison latest by evening of 12.5.2006.

3. It is clarified that the escorting party shall be in plain clothes and the expenses of the escort shall be borne by the State. However, the applicant shall make necessary arrangements for the lodging and boarding of the escorting party at his cost.

4. Application is disposed of.

5. Parties to act on the authenticated copy of this order.

6. Authenticated copy of this order be issued to the parties immediately.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]